

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the ____ day of ____, 2006:

Present

Vote

Walter C. Zaremba, Chairman
Kenneth L. Bowman, Vice Chairman
Sheila S. Noll
James S. Burgett
Thomas G. Shepperd, Jr.

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE A CONVENIENCE STORE WITH GASOLINE PUMPS ON PROPERTY LOCATED AT 3215 BIG BETHEL ROAD AND 2117 HAMPTON HIGHWAY

WHEREAS, 7-Eleven, Incorporated has submitted Application No. UP-677-05, which requests a Special Use Permit, pursuant to Section 24.1-306 (Category 12, No. 2), of the York County Zoning Ordinance to authorize a 2,807-square foot convenience store with an 8-station gasoline pump facility on property located at 3215 Big Bethel Road (Route 600) and 2117 Hampton Highway (Route 134) and further identified as Assessor's Parcel Nos. 37-81 (Hampton Highway) and 37-90 (Big Bethel Road) (GPIN Nos. U02a-1480-4138 and U02a-1496-4009); and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends denial of the application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the ____ day of _____, 2006, that Application No. UP-677-05 be, and is hereby, approved to authorize a 2,807-square foot convenience store with an 8-station gasoline pump facility on property located at 3215 Big Bethel Road (Route 600) and 2117 Hampton Highway (Route 134) and further identified as Assessor's Parcel Nos. 37-81 (Hampton Highway) and 37-90 (Big Bethel Road) (GPIN Nos. U02a-1480-4138 and U02a-1496-4009); subject to the following conditions:

1. This use permit shall authorize a 2,807-square foot convenience store with an 8-station gasoline pump facility on property located at 3215 Big Bethel Road (Route 600) and 2117 Hampton Highway (Route 134) and further identified as Assessor's Parcel Nos. 37-81 (Hampton Highway) and 37-90 (Big Bethel Road).
2. A site plan prepared in accordance with the provisions of Article V of the York County Zoning Ordinance shall be submitted to and approved by the York County Department of Environmental and Development Services, Division of Development and Compliance prior to the commencement of any construction activities on the subject parcel. Except as modified herein, said plan shall be in substantial conformance with the plan titled "7-Eleven Corporation, Convenience Store w/Gas, Preliminary Concept Plan," prepared by Blakeway Corp, dated January 3, 2006, revised March 16, 2006 and received by the Planning Division March 17, 2006.
3. Except as modified herein, building elevation plans shall be in substantial conformance with the plan titled, "7-Eleven Inc., prepared by URS, dated January 5, 2006, and received by the Planning Division on February 1, 2006. Freestanding signage shall be in substantial conformance with the sign plan prepared by Dowling Signs, Inc. and received by the Planning Division on June 30, 2005.
4. Freestanding identification signage shall be limited to a single monument sign, and fascia used on the base of the sign shall match that of the building façade.
5. All site lighting shall be designed with shielded, full cutoff fixtures and directed downward at a 90-degree angle to the ground to prevent off-site glare on to abutting properties and the road right-of-way. Illumination levels shall not exceed 0.5 foot-candle at the south and east property lines, and shall not exceed 0.1 foot-candle at the north and west property lines. All lighting fixtures shall be consistent with the lighting recommended by the Illumination Engineering Society of North America (IESNA). A photometric plan detailing all proposed fixtures and ground illumination levels shall be submitted for approval by Environmental and Development Services at time of application for site plan approval.
6. All parking spaces shall be located a minimum of ten (10) feet from the face of the building.

7. In accordance with Section 24.1-245, there shall be no disturbance of the 35-foot greenbelt buffer along Hampton Highway.
8. The gasoline pump island canopy shall not contain signage or logos of any kind, and colors shall be limited to a single solid color.
9. The Transitional Buffer along the eastern side of the site (adjacent to Big Bethel Road) shall be 35 feet in width and shall meet full planting standards of Zoning Ordinance Section 24.1-243(2) (i.e., Type 35 standards).
10. The Transitional Buffer along the northern property line shall be 35 feet in width and the site design shall be modified to remove the encroachment by the proposed parking lot, dumpster pad, and BMP.
11. Landscaping along the western and northern borders shall consist of 100% ever-green trees and shrubs meeting planting credits equivalent to a 35-foot buffer in accordance with Zoning Ordinance Section 24.1-242(1). Said landscaping shall be supplemented with opaque fencing at least six (6) feet high installed along the inside border of the Transitional Buffer or landscape yard and constructed of materials meeting the approval of the Zoning Administrator.
12. Rooftop HVAC, electrical and similar utilities shall be screened from view of adjacent properties and road rights-of-way.
13. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, prior to application for site plan approval, a certified copy of the resolution authorizing this special use permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

BE IT FURTHER RESOLVED that this Special Use Permit is not severable and invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.